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Bank, N.A.*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

US BANK NATIONAL ASSOCIATION, AS  
TRUSTEE, SUCCESSOR IN INTEREST TO  
WACHOVIA BANK, NATIONAL  
ASSOCIATION AS TRUSTEE FOR WELLS  
FARGO ASSET SECURITIES  
CORPORATION, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2005-  
AR2 AT 4801 FREDERICA STREET,  
OWENSBORO, KY 42301, a national  
association; WELLS FARGO BANK, N.A., a  
national association;

Plaintiffs,

vs.

VILLA VECCHIO CT. TRUST, a Nevada  
trust; ABSOLUTE COLLECTION  
SERVICES, LLC, a Nevada limited-liability  
company; THE FOOTHILLS AT SOUTHERN  
HIGHLANDS HOMEOWNERS  
ASSOCIATION, a Nevada non-profit  
corporation;

Defendants.

VILLA VECCHIO CT. TRUST, a Nevada  
trust;

Counterclaimant,

vs.

US BANK NATIONAL ASSOCIATION, AS

Case No. 2:17-cv-00143-MMD-VCF

**STIPULATION AND ORDER  
MODIFYING BRIEFING SCHEDULE  
ON DISPOSITIVE MOTIONS  
PURSUANT TO LR 7-2(B) AND  
MOTION TO REOPEN DISCOVERY**

**(THIRD REQUEST)**

1 TRUSTEE, SUCCESSOR IN INTEREST TO  
 2 WACHOVIA BANK, NATIONAL  
 3 ASSOCIATION AS TRUSTEE FOR WELLS  
 4 FARGO ASSET SECURITIES  
 5 CORPORATION, MORTGAGE PASS-  
 6 THROUGH CERTIFICATES, SERIES 2005-  
 7 AR2 AT 4801 FREDERICA STREET,  
 8 OWENSBORO, KY 42301, a national  
 9 association; WELLS FARGO BANK, N.A., a  
 10 national association;

11 Counter-Defendants.

12 Plaintiffs/Counter-Defendants US Bank National Association, as Trustee, Successor in  
 13 Interest to Wachovia Bank, National Association as Trustee for Wells Fargo Asset Securities  
 14 Corporation, Mortgage Pass-Through Certificates, Series 2005-AR2 at 4801 Frederica Street,  
 15 Owensboro, KY 42301 and Wells Fargo Bank, N.A. (jointly, “Plaintiffs”), and  
 16 Defendant/Counterclaimant Villa Vecchio Ct. Trust (“Villa Vecchio” and together with the  
 17 Plaintiffs, the “Parties”), through their counsel, for good cause shown, hereby stipulate and agree  
 18 to modify the briefing schedule set by LR 7-2(b) for the remaining briefing on the Parties’  
 19 pending Motions for Summary Judgment (“MSJs”) and Villa Vecchio’s pending Motion to  
 20 Reopen Discovery (“Motion to Reopen”). In support of this request, the Parties state the  
 21 following:

22 1. On April 11, 2023, the Court issued its Minute Order setting a deadline of 60 days  
 23 within which to file dispositive motions [ECF No. 98].

24 2. The initial deadline for the Parties to file their respective motions for summary  
 25 judgment was June 9, 2023 [ECF No. 98].

26 3. On April 27, 2023, the Parties entered into a *Stipulation and Order Modifying*  
 27 *Briefing Schedule on Dispositive Motions Pursuant to LR 7-2(b) (First Request)*, extending the  
 28 deadline for filing oppositions and replies to their yet-to-be-filed respective motions for summary  
 judgment [ECF No. 101].

4. On May 26, 2023, the Parties entered into a *Stipulation and Order Modifying*  
*Briefing Schedule on Dispositive Motions Pursuant to LR 7-2(B) (Second Request)*, extending the

1 deadline for filing oppositions and replies to their yet-to-be-filed respective motions for summary  
2 judgment [ECF No. 103].

3 5. On June 30, 2023, the Parties filed their motions for summary judgment (“MSJs”)  
4 [ECF Nos. 105, 107].

5 6. On June 30, 2023, Defendant/Counterclaimant filed a *Motion to Reopen Discovery*  
6 *Solely to Permit Disclosure of Villa Vecchio CT. Trust Bankruptcy* (“Motion to Reopen”) [ECF  
7 No. 106].

8 7. On July 11, 2023, the Parties entered into a *Stipulation and Order Modifying*  
9 *Briefing Schedule Re Motion to Reopen Discovery (First Request)*, to align the briefing deadlines  
10 for the Motion to Reopen with the briefing deadlines for the MSJs [ECF No. 108].

11 8. The current deadline to file oppositions to the MSJs and Motion to Reopen is  
12 July 21, 2023, and the current deadline to file replies in support of the MSJs and Motion to  
13 Reopen is August 18, 2023.

14 9. Good cause exists to grant a one-week extension for the Parties to file their  
15 oppositions and replies to the MSJs and Motion to Reopen to allow sufficient time for client  
16 review in light of intermittent summer unavailability.

17 NOW, THEREFORE, based on the foregoing and subject to Court approval, the Parties  
18 agree as follows:

- 19 1. That the deadline to file oppositions to the MSJs and Motion to Reopen shall be  
20 extended from July 21, 2023 to **July 28, 2023**; and

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2. That the deadline for the Parties to file replies in support of the MSJs and Motion to Reopen shall be extended from August 18, 2023 to **August 25, 2023**.

**IT IS SO STIPULATED.**

DATED this 20th day of July 2023.

DATED this 20th day of July 2023.

SNELL & WILMER L.L.P.

ROGER P. CROTEAU & ASSOCIATES, LTD.

By: /s/ Jennifer L. McBee  
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 Villa Vecchio Ct. Trust*

**ORDER**

The Court having considered the foregoing Stipulation Modifying Briefing Schedule on Dispositive Motions Pursuant to LR 7-2(B) and Motion to Reopen Discovery (Third Request) (“Stipulation”), and good cause appearing,

**IT IS HEREBY ORDERED:**

- A. That the Parties’ Stipulation is approved;
- B. That the deadline to file oppositions to the MSJs and Motion to Reopen shall be extended from July 21, 2023 to **July 28, 2023**; and
- C. That the deadline for the Parties to file replies in support of the MSJs and Motion to Reopen shall be extended from August 18, 2023 to **August 25, 2023**.

**IT IS SO ORDERED.**




UNITED STATES DISTRICT JUDGE

DATED July 20, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that on July 20, 2023, I electronically filed the foregoing **STIPULATION AND ORDER MODIFYING BRIEFING SCHEDULE ON DISPOSITIVE MOTIONS PURSUANT TO LR 7-2(B) AND MOTION TO REOPEN DISCOVERY (THIRD REQUEST)** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 20th day of July 2023.

  
An Employee of Snell & Wilmer L.L.P.

Snell & Wilmer

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